

REMARKS

Claims 1-3, 5, 7-12, 14-15, and 22-24 are pending. Claims 1-3, 5, 9-12, 22-24 and 23-24 are currently amended. Claim 4 and 13 have been cancelled. Claims 25 to 30 have been added. Reconsideration of the application is requested.

Claim 9 and 23 were objected to due to spelling or grammatical issues. These claims have been amended to correct issues underlying the objections.

§ 112 Rejections

Claims 23 and 24 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Particularly, dependant claim 23 was rejected because it did not depend from a preceding claim. Claim 24, dependent to claim 23, inherited the defect of claim 23. Applicant has amended the dependency of claim 23, which now correctly depends from claim 22.

§ 102 Rejections

Claims 9-12 and 14-25 are rejected under 35 USC § 102(b) as being anticipated by Dante et. al. (US. Pat. No. 5,365,596), hereinafter "Dante."

Dante concerns inspection systems for repetitive printings, such as printing paperboard stock to be used as cigarette boxes (col. 1 @ 7; col. 3 @ 27). Once a graphic, or row of graphics, has been printed, cameras image the row (col. 4 @ 30). The image is then processed.

Dante lacks teaching or suggestion of several aspects of Applicant's invention, two aspects of which are present in each of the rejected claims, further detailed below.

First, Applicant's claim 9, for example, includes the concept of "fiducial marks," the term defined in Applicant's specification. Fiducial marks identify a particular position on the web. Dante has no teaching or suggestion of a fiducial mark. Dante col. 4 @ 54-60, cited by Examiner as having a teaching of a fiducial mark, shows only a mark that is associated with a row of images, the mark's purpose simply to signal when the cameras should take their picture (col. 4 @ 45). The mark is generic and repeating (shown in Dante Fig. 4 as a repeating "+" symbol). Since Dante is

printing a repeating pattern, Dante teaches away from using a unique mark. In any case, the mark referenced in Dante does not uniquely identify any particular position on the web. The Applicant has amended claim 9 to further distinguish the claim, consistent with Applicant's teachings related to a fiducial mark in the specification.

Second, present in Applicant's rejected claim 9, for example, is the concept of localizing an anomaly, or providing localizing information relative to an anomaly. Localization information specifies the location of an anomaly relative to a fiducial mark – that is, relative to a uniquely identified position on the web. This concept is discussed in Applicant's application, starting on page 6, as well as in Fig. 1. Since Dante has no fiducial mark, it cannot have the localization information specifying any location relative to any fiducial mark. Indeed, Dante col. 10 @ 32-42 (cited by Examiner) talks about spraying a marker onto the web "to help the operator quickly find the defective image." But the mark Dante talks about isn't relative to any fiducial mark; it is simply generally near the area where an "unacceptable image" was detected.

Both of these concepts (fiducial marks and localization) are further developed within the claim language to clearly distinguish over Dante.

For these reasons alone, Dante does not anticipate Applicant's invention. Applicant respectfully requests withdrawal of the instant rejection.

Regarding claims 10 and 11, Applicant urges rejection of these claims is improper for the same reasons as stated above, but applicant has amended it to further clarify a concept underlying each of these claims: that an anomaly may or may not constitute a defect. This concept is not present in Dante.

§ 103 Rejections

Remaining claims 1-5 and 7-8, and 22-24 are rejected under 35 USC § 103(a) as being unpatentable over Dante in view of some combination of Laussermair et. al. (U.S. Pat. No. 6,137,967), hereinafter "Laussermair," or Dalmia et. al. (U.S. Pat. No. 6,259,109), hereinafter "Dalmia," or Eichel et. al. (US. Pat. No. 6,266,437), hereinafter "Eichel."

Each of the rejected claims includes concepts of fiducial marks and localization similar to those discussed above with respect to the § 102(b) rejection of claim 9. Dante is said to teach or

suggest these concepts; however, as detailed above, Dante contains no teaching of fiducial marks or localization. The other references Examiner has relied upon similarly fail to teach either of these concepts. For this reason at least, the combination of references of record cannot be said to teach or suggest all limitations or features of applicants remaining claims.

Laussermair is relied upon for the teaching of unwinding, printing, then re-winding. Claim 1, particularly as amended (“subsequent to the winding step, unwinding the web...”), makes clear that locating marks are applied to the web subsequent to the winding step. This concept, of applying locating marks relative to fiducial marks subsequent to the winding step, is not taught or suggested in Laussermair. Laussermair, rather, references only the well known idea that converting of piece of paper may take place on a line other-than the one it was created upon. There is no teaching or suggestion of how to place marks on the web running on a second line, the marks being positioned relative to marks placed on a previous line. Further, a limitation concerning where the winding step takes place, relative to what comes after the winding step, in Applicant’s claimed invention (claim 1) has been amended to make it more clear. Examiner will see that the phrase “subsequent to the winding step” has been moved to now modify the last step, which now reads: “subsequent to the winding step, unwinding the web and applying locating marks to the web... using positional information and the fiducial marks as a guide.” In the previous version, it may not have been clear that the application of locating marks was to be subsequent to the winding step.

Eichel col. 7 @ 37-42 is said to teach providing digital information about the location of anomalies on the roll relative to fiducial marks. Eichel, however, is describing a routine defect detection process. There is no teaching of digital information about the location of anomalies on the roll relative to fiducial marks.

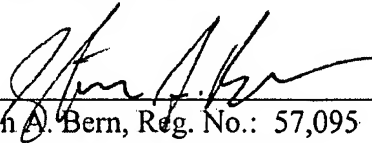
In addition to the above reasons arguing why the present rejections are incorrect, various claims (for example claims 2, 10, 11, 24, 25, and 28) include the concept of distinguishing between regions of the web that would be defects based on a contemplated end use of the web and regions that would not be defects based on the contemplated end use of the web. This concept is not present in any of the references Examiner has cited.

Respectfully submitted,

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